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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Roger P. Jackson

Serial No.: 10/767,646 Date: November 13, 2008

Filed: January 29, 2004 Group Art Unit: 3731

Exam: Julian W. Woo

For: CLOSURE PLUG FOR OPEN HEADED MEDICAL IMPLANT

Kansas City, Missouri

Commissioner For Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed July 14, 2008 finally rejecting claims 1-3 and 5-14.

The following are appropriate:

- 1. This application is on behalf of a large entity.
- 2. Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is \$540 as a large entity.
- 3. Enclosed is check No. 6890 in the amount of \$540.00.
- 4. Enclosed is a one month Extension of Time and a check in the amount of \$130.00.
- 5. Please charge any additional fees or credit any overpayment to Deposit Account 50-1253.

11/17/2008 SLUANG1 00000008 10767646

Respectfully Submitted,

ohn C. McMahon

Attorney

Reg. No. 29,415

JCM:lm PO Box 30069 Kansas City, Missouri 64112

Phone: (816) 531-3470

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop AF
Commissioner For Patents,
P.O. Box 1450,
Alexandria, VA 22313-1450 on
November 13, 2008.

Roger P. Jackson (Applicant)

Ву

November 13, 2008

(Date of Signature)



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